

REMARKS

Claims 1-12 are pending in the application. Claims 1-12 are rejected.

Priority

Applicant's claim foreign priority from Japanese application 11-361256 filed December 20, 1999. The certified copy of the priority document was filed concurrently with the present application.

It is respectfully requested the Examiner acknowledge priority and the receipt of the documents.

Specification

The specification has been amended as suggested by the Examiner. No new matter is entered.

Claims

The independent claims have been amended to clarify the claimed invention. The amendment clarifies that the data sending terminal changes the quality of the data according to the network load. The data receiving terminal requests the data sending terminal to send alternative data having a data quality higher than the data quality of the received data and satisfying the predetermined accumulation quality for the received data of the particular time section.

The features of the independent claims are not described in the prior art.

Claims 1-12 are rejected under 35 U.S.C. §102(e) as being anticipated by Fukushima et al. (U.S. 6,587,985) (Fukushima).

Fukushima discloses techniques for sending a retransmission request for an error packet from a receiving end to a transmitting end when the error packet has a high priority (or above a threshold). This reduces the number of retransmission of packets.

Fukushima, however, does not disclose that the transmission end actively changes the quality of data sent to the network according to the network load. Nor does Fukushima describe the receiving end sending a request for the transmitting end to send higher quality data. Thus, Fukushima does not teach the claimed features of the claimed invention. In Fukushima the receiving end does not send the retransmission request, if the received packet does not satisfy the quality for the accumulation (accumulation quality) caused by changing of the data quality of the packet by the transmission end. Additionally, if the retransmission end receives the transmission request, the transmission end reproduces and retransmissions a required packet having the same quality of the error packet.

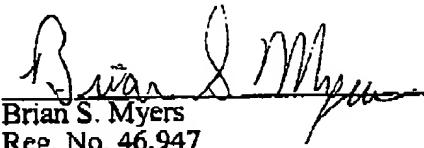
Because Fukushima does not teach or suggest the features of Claims 1, 2, 6, 11, 12 and new Claim 13 it is respectfully requested the rejection be withdrawn..

Claims 3-5 depends from the Claim 2, Claims 7-10 depends from the amended Claim 6, and should be allowed for at least the reasons set forth above and because they recite additional features.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



Brian S. Myers
Reg. No. 46,947

CUSTOMER NUMBER 026304
Telephone: (212) 940-8703
Fax: (212) 940-8986/8987
Docket No.: FUJS 18.066 (100794-11568)
BSM:tm